



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs

State Board of Dentistry

124 Halsey Street, 6th Floor, Newark, NJ 07102

VIA CERTIFIED (RRR) AND REGULAR MAIL



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

April 22, 2015

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 5-5-15 DA

Mailing Address:
P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

Dr. Francis James O'Bosky, Jr.
39 South Fullerton Avenue
Montclair, NJ 07042

Re: Settlement Letter in Lieu of Formal Disciplinary
Proceedings in Complaints:
92273 - V.M.

Dear Dr. O'Bosky:

This letter is to advise you that the New Jersey State Board of Dentistry completed its review of information concerning the above captioned complainants. Specifically, the information reviewed included:

1. The report of a medical malpractice payment report;
2. A copy of your response, including patient treatment and financial records, and other office records; and,
3. Other available information about the patient's condition.

Based upon the review of these matters, the Board has determined that you engaged in the following actions which may constitute violations of the Board's statutes and regulations:

1. **Execution of Treatment** - Endodontic treatment on teeth #2 and #3 had to be redone by a subsequent treating dentist; x-rays show that the endodontic therapy was poorly done.

These actions may constitute a deviation from the standard of care that is substantial enough to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, and avoid the initiation of formal disciplinary proceedings, should you agree to the following:

1. Cease and desist from performing endodontic therapies until you successfully complete a total of fourteen (14) credits of remedial continuing education in hands on endodontics. Remedial course work is in addition to the continuing education that is required for the renewal of your license, and must be completed within six (6) months of the signing this letter.

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MAY 5 - 2015

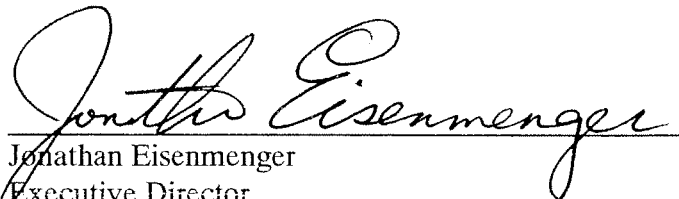
If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. You should be aware that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Swang Oo, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Sincerely,

STATE BOARD OF DENTISTRY



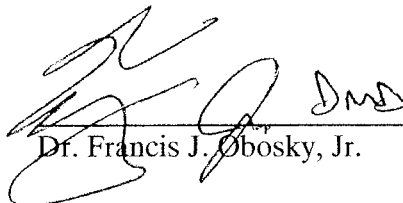
Jonathan Eisenmenger
Executive Director

cc: Swang Oo, Deputy Attorney General

ACKNOWLEDGMENT: I, Dr. Francis J. Obosky, Jr., have read and reviewed the settlement proposal set forth in this settlement letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to comply with the directives noted. I will:

1. Cease and desist from performing endodontic therapies until you successfully complete a total of fourteen (14) credits of remedial continuing education in hands on endodontics. Remedial course work is in addition to the continuing education that is required for the renewal of your license, and must be completed within six (6) months of the signing this letter.

5/1/15
Date _____


Dr. Francis J. Obosky, Jr.